
MICHAEL & KRISTIN PECA

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

June 29, 2020

Assistant U.S. Attorney Diane Leonardo and
FSA Asset Forfeiture Paralegal Kristen Lake
United States Attorney's Office, Eastern District of New York
610 Federal Plaza
Central Islip, NY 11722

Dear Ms. Leonardo and Ms. Lake,

Enclosed please find our restitution claim regarding F.#2013R00948, United States v. Philip Kenner, et al., Criminal Docket No. 13-607 (JFB) (EDNY).

We have included information on our interests/right to:

- Eufora LLC, \$366,000 (July 13, 2004 = \$166,000 to Eufora LLC; April 7th 2008 = \$200,000 to Eufora LLC & \$100,000 to Constantine Management Group)
- Hawaii (Northern Trust), \$1,894,392 (June 23, 2005 = \$100,00 to Little Isle IV LLC; March 1, 2009 = \$1,794,392 taken from our NT account *when NT took that amount out of our account due to Kenner's fraud)
- Cabo, \$300,000 (September 14, 2005 = \$200,000 to Baja Development; March 6, 2006 = \$50,000 to Baja Development; March 13, 2006 = \$50,000 Baja Development)
- Global Settlement Fund (GSF), \$250,000 on May 8, 2009 to Ron Richards Trust Account.
- TOTAL LOSSES: BEGINNING VALUE OF LOSSES = \$2,510,392
ENDING VALUE OF LOSSES WITH ROR APPLIED = \$4,593,697

All supporting documents are included, with the exception of the \$250,000 wire to the Ronald Richards trust account re: GSF. The Government has that in evidence to show our transfer of funds for that purpose.

Please feel free to call or email with any questions.

Sincerely yours,

Michael and Kristin Peca



July 9, 2004

Charles Schwab
Institutional Service Group - Team 5
Master account #: [REDACTED] 0761
PO Box 52013
Phoenix, AZ 85072-9215

Re: Michael Peca: Account # [REDACTED] 4031

Dear Charles Schwab:

Please wire \$166,000.00 using the following instructions:

Johnson Bank
8700 N. Gainey Center Drive
Scottsdale, AZ 85258-2104
602-522-5400

Routing # 122105359

EUFORA, LLC
14648 Scottsdale Road, Suite 170
Scottsdale, AZ 85254

Acct # 6030820074

Thank you for your assistance,



Michael Peca

original Enfona Investment

April 4, 2008

Charles Schwab
Institutional Service Group
PO Box 52013
Phoenix, AZ 85072-9215

Re: Michael Peca: Account # [REDACTED]-4031

Dear Charles Schwab:

Please wire \$100,000.00 using the following instructions:

Johnson Bank
3131 E. Camelback Rd.
Phoenix, AZ

ABA : 122105359
Account Name: Eufora, LLC
Account Number: 6030820074

Eufora, LLC
14646 N Kierland Blvd
Ste 250
Scottsdale, AZ 85254

Thank you for your assistance,

Phil Kenner as Atty in fact for Michael Peca

Phil Kenner as Attorney in fact for Michael Peca

Eufora

April 4, 2008

Charles Schwab
Institutional Service Group
PO Box 52013
Phoenix, AZ 85072-9215

Re: Michael Peca: Account # [REDACTED]-4031

Dear Charles Schwab:

Please wire \$100,000.00 using the following instructions:

Constantine Management Group, Ltd
Routing # 026009593
Acc# 004678169272

Bank of America
201 East Washington Street
20th Floor
Phoenix, AZ 85004

(888) 852-5000

Thank you for your assistance,

Phil Kenner as Atty in fact for Michael Peca

Phil Kenner as the Attorney in fact for Michael
Peca

Enfora

* Why was it sent to
Constantine Mgmt Group?

June 21, 2005

Charles Schwab
Institutional Service Group - Team 5
Master account #: [REDACTED] 751
PO Box 52013
Phoenix, AZ 85072-9216

Re: Michael Peca: Account # [REDACTED] 4031

Dear Charles Schwab:

Please wire \$100,000 using the following instructions:

Northern Trust Bank, Arizona
2398 East Camelback Road, Suite 400
Phoenix, AZ 85016

Aba/routing number: 122105210
Account Number: 1411012916

Beneficiary information:

Account Name: Little Isle IV LLC
10705 East Cactus Road
Scottsdale, AZ 85259

Banker Contact: Aaron Mascarella (602) 468 - 2604

Thank you for your assistance,


Michael Peca

ted original Hawaii investment Jun 23 05 08:06a

Account Statement*March 1, 2009 - March 31, 2009*

*Account Number 571
PECA MICHAEL -PD*

Activity Details (continued)

Settled Activity			Description	Market Value	Tax Cost	Income Cash	Principal Cash
Date	Type						
03/31/09	Payments To Or For Benefit Of Client		[REDACTED]			[REDACTED]	
					(1,794,392.19)		

PAID NORTHERN TRUST, NA FOR THE BENEFIT OF MICHAEL PECA REPRESENTS PAY-OFF OF LOAN #289369-1565 "

* MONIES TAKEN BY NORTHERN TRUST
FROM OUR ACCOUNT DUE TO KENNERS
ILLEGAL ACTIONS.



April 4, 2008

Charles Schwab
Institutional Service Group
PO Box 52013
Phoenix, AZ 85072-9215

Re: Michael Peca: Account # [REDACTED]-4031

Dear Charles Schwab:

Please wire \$100,000.00 using the following instructions:

Constantine Management Group, Ltd
Routing # 026009593
Acc# 004678169272

Bank of America
201 East Washington Street
20th Floor
Phoenix, AZ 85004

(888) 852-5000

Thank you for your assistance,

Phil Kenner as Atty in fact for Michael Peca

Phil Kenner as the Attorney in fact for Michael
Peca

Enfora

* Why was it sent to
Constantine Ngmt Group?

**PLEASE WIRE THIS ENTIRE AMOUNT OUT ON MARGIN
- URGENT!!**

September 13, 2005

Charles Schwab
Institutional Service Group
PO Box 52013
Phoenix, AZ 85072-9215

Re: Michael Peca Account # [REDACTED] 4031

Dear Charles Schwab:

Please wire \$200,000.00 using the following instructions:

Hudson United Bank
ABA 021201503

The account name and number are as follows:

Baja Development Corp.
Account # 3981345276
2 dogwood drive
Danbury, Ct. 06811

Please call Lynne with questions at 480-481-8920.

Thank you for your assistance,

Phil Kenner as Attorney in Fact for Michael
Phil Kenner as the Attorney in fact for Michael Peca

**PLEASE WIRE THIS ENTIRE AMOUNT OUT ON MARGIN
- URGENT!!**

March 8, 2006

Charles Schwab
Institutional Service Group
PO Box 52013
Phoenix, AZ 85072-9215

Re: Michael Peca: Account # [REDACTED] 4031

Dear Charles Schwab:

Please wire \$50,000.00 using the following instructions:

Hudson United Bank
ABA 021201503

The account name and number are as follows:

Baja Development Corp.
Account # 3981345276
2 dogwood drive
Danbury, Ct. 06811

Please call Lynne with questions at 480-481-8920.

Thank you for your assistance,

Phil Kenner as Atty in fact for Michael Peca

Phil Kenner as the Attorney in fact for Michael Peca

GSF Global Settlement Fund

DATE	TO/FROM	DEBIT	CREDIT	Account Balance	NOTES
5/8/09	MICHAEL PECA	\$ 250,000.00			

Michael and Kristin Peca

Estimated Opportunity Cost Projection Based on Actual Losses

For the Years 2003 through 2020

Investment ¹ Title	Hawaii	GSF	Ephora	Ephora 2	Northern Trust Line of Credit
Investment Year ²	2005*	2009**	2004 ⁺	2008 ⁺⁺	2009***
\$Principal Investment ²	\$ 100,000	\$ 250,000	\$ 166,000	\$ 200,000	\$ 1,794,392

Inception Year	Annualized ROR ³	EOY \$Value				
2003	23.23%	-	-	-	-	-
2004	11.95%	-	-	175,300	-	-
2005	6.88%	103,490	-	187,361	-	-
2006	12.65%	116,581	-	211,062	-	-
2007	3.78%	120,988	-	219,040	-	-
2008	-19.43%	97,480	-	176,480	176,982	-
2009	21.65%	118,585	283,334	214,688	215,299	2,145,719
2010	11.90%	132,696	317,051	240,236	240,919	2,401,060
2011	-0.95%	131,436	314,039	237,954	238,630	2,378,250
2012	9.72%	144,211	344,563	261,083	261,825	2,609,415
2013	14.84%	165,612	395,697	299,828	300,680	2,996,653
2014	3.36%	171,177	408,992	309,902	310,783	3,097,340
2015	-9.80%	154,401	368,911	279,532	280,326	2,793,801
2016	8.71%	167,850	401,043	303,879	304,743	3,037,141
2017	12.44%	188,730	450,933	341,682	342,653	3,414,961
2018	-7.22%	175,104	418,375	317,012	317,913	3,168,401
2019	14.95%	201,282	480,922	364,406	365,441	3,642,077
2020 [^]	-9.11%	182,945	437,110	331,208	332,149	3,310,284

Beginning Value of Losses	\$ 2,510,392
Ending Value of Losses with ROR Applied ⁴	\$ 4,593,697

Footnotes

¹The term *Investment* used throughout this document is for illustrative purposes only. Use of the term does not indicate the clients' attitude toward the schemes, or that the schemes were legitimate or held merit.

²Per client records.

³Assumptions for yrs 2003 through 2014: ROR based on estimated client returns; assumes cash held in reserve for investment beginning January 1st of year affected regardless of effective date of investment; interest and dividends fully reinvested; ROR net of management fees; ROR gross of realized tax in the year identified.

⁴Gross estimated opportunity cost if funds were allocated according to a portfolio similar to what existed for the clients since 2003.

*Invested June 23, 2005

**Invested May 8, 2009.

***Invested March 1, 2009

+Invested July 13, 2004

++Invested April 7, 2008

[^]January 1, 2020 through June 30, 2020.

7/13/04	\$ 168,000.00	EUFORA LLC	6030820074	JOHNSON BANK	20040713B1Q8021C001940	LCT419504521007			
3/29/05	\$2,000,000.00	MICHAEL PECA	██████████	6571 NORTHERN TRUST	20050329B1Q8022C005748	S075088100B301			
4/14/05	\$ 200,000.00	MICHAEL PECA	██████████	6571 NORTHERN TRUST	20050414B1Q8024C006680	S075104D3BB01			
4/14/05	\$245,000.00	ROETZEL AND ANDREAS	██████████	4064 BANK OF AMERICA	20050414B1Q8023C006984	S075104D4D401			
6/23/05	\$ 100,000.00	LITTLE ISLE IV LLC	██████████	1411012916 NORTHERN TRUST	20050623B1Q8022C005243	S0751740E56801			
9/14/05	\$ 200,000.00	BAJA DEVELOPMENT	██████████	3981345276 HUDSON UNITED BANK	20050914B1Q8023C007293	S0752571046601			
		STANDARD ADVISORS							
9/29/05	\$ 9,200.00	LLC		8102558338 WELLS FARGO	20050929B1Q8022C006702	S0752720FA2C01			
1/4/05	\$ 7,500.00			██████████	20051230B1Q8021C008617	S075380CC4A01			
1/23/05	\$9,275.00	STANDARD ADVISORS		3102558338 WELLS FARGO	20051230B1Q8021C008617	S0753840D87701			
1/26/06	\$155,804.00	MICHAEL and KRISTIN		██████████	281648	S076026100B401			
3/6/06	\$50,000.00	BAJA DEVELOPMENT		3981345276 HUDSON UNITED BANK	0306B1Q8022C004403	S0760650F02B01			
3/13/06	\$50,000.00	BAJA DEVELOPMENT		3981345276 HUDSON UNITED BANK	0313B1Q8023C006358	S076072106D301			
3/20/06	\$53,438.32	MICHAEL and KRISTIN		██████████	341644	S0760791127201			
4/17/07	\$290,000.00	MICHAEL and KRISTIN		8998 HSBC BANK	041711B7034R002607	2007041700075			
6/5/07	\$5,800.00			██████████	8998 HSBC BANK	0409066726603			
10/1/07	\$9,500.00	STANDARD ADVISORS	1251501100		IA008979340327	2007100100093			
14/7/08	\$100,000.00	EUFORA, LLC	6030820074		040711B7032R000200	20080407000677			
		(CONSTANTINE MANAGEMENT GROUP)							
4/17/08	\$100,000.00	LTD	4678169272 BANK OF AMERICA	040711B7031R002219	20080407000087				
11/3/08	\$180,000.00	UNDERWRITERS	██████████	0219 RBS CITIZENS	110311B7033R001691	2008110300057			
11/3/08	\$180,000.00	HCC SPECIALTY HCC SPECIALTY UNDERWRITERS	██████████	0219 RBS CITIZENS	110311B7034R001677	2008110300056			
		DIAMATE CABO	\$ 300,000						
		HAWAII (NORTHERN TRUST)	\$100,000 + \$1,794,392. ¹⁹ (3/1/09)						
		EUFORA	\$ 366,000						

July 9, 2004

Charles Schwab
Institutional Service Group - Team 5
Master account #: [REDACTED] 0761
PO Box 52013
Phoenix, AZ 85072-9215

Re: Michael Peca Account # [REDACTED] -4031

Dear Charles Schwab:

Please wire \$166,000.00 using the following instructions:

Johnson Bank
8700 N. Gainey Center Drive
Scottsdale, AZ 85258-2104
602-522-5400

Routing # 122106359

EUFORA, LLC
14648 Scottsdale Road, Suite 170
Scottsdale, AZ 85254

Acct # 6030820074

Thank you for your assistance,



Michael Peca

original Eufora Investment

April 4, 2008

Charles Schwab
Institutional Service Group
PO Box 52013
Phoenix, AZ 85072-9215

Re: Michael Peca: Account # [REDACTED]-4031

Dear Charles Schwab:

Please wire \$100,000.00 using the following instructions:

Johnson Bank
3131 E. Camelback Rd.
Phoenix, AZ

ABA : 122105359
Account Name: Eufora, LLC
Account Number: 6030820074

Eufora, LLC
14646 N Kierland Blvd
Ste 250
Scottsdale, AZ 85254

Thank you for your assistance,

Phil Kenner as Atty in fact for Michael Peca

Phil Kenner as Attorney in fact for Michael Peca

Eufora

April 4, 2008

Charles Schwab
Institutional Service Group
PO Box 52013
Phoenix, AZ 85072-9215

Re: Michael Peca: Account # [REDACTED]-4031

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Please wire \$100,000.00 using the following instructions:

Constantine Management Group, Ltd
Routing # 026009593
Acc# 004678169272

Bank of America
201 East Washington Street
20th Floor
Phoenix, AZ 85004

(888) 852-5000

Thank you for your assistance,

Phil Kenner as Atty in fact for Michael Peca

Phil Kenner as the Attorney in fact for Michael Peca

Enfora

* Why was it sent to
Constantine Mgmt Group?

June 21, 2005

Charles Schwab
Institutional Service Group - Team 5
Master account #: [REDACTED] 3751
PO Box 52013
Phoenix, AZ 85072-9216

Re: Michael Peca: Account # [REDACTED] 4031

Dear Charles Schwab:

Please wire \$100,000 using the following instructions:

Northern Trust Bank, Arizona
2398 East Camelback Road, Suite 400
Phoenix, AZ 85016

Aba/routing number: 122105210
Account Number: 1411012916

Beneficiary information:

Account Name: Little Isle IV LLC
10705 East Cactus Road
Scottsdale, AZ 85259

Banker Contact: Aaron Mascarella (602) 468 - 2604

Thank you for your assistance,


Michael Peca

original Hawaii investment Jun 29 05 08:01a



Account Statement

March 1, 2009 - March 31, 2009

Account Number [REDACTED] 6571
PECA MICHAEL -PD

Activity Details (continued)

Settled Activity	Date	Type	Description	Market Value	Tax Cost	Income Cash	Principal Cash
	03/31/09						

Payments To Or For
Benefit Of Client

PAID NORTHERN TRUST, NIA FOR THE BENEFIT OF MICHAEL
PECA REPRESENTS PAY-OFF OF LOAN #289869-1565 F

* MONEY TAKEN BY NORTHERN TRUST
FLON OUR ACCOUNT DUE TO KENNERS
ILLEGAL ACTIONS.

**PLEASE WIRE THIS ENTIRE AMOUNT OUT ON MARGIN
- URGENT!!**

September 13, 2005

Charles Schwab
Institutional Service Group
PO Box 52013
Phoenix, AZ 85072-9215

Re: Michael Peca Account # [REDACTED] -4031

Dear Charles Schwab:

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Hudson United Bank
ABA 021201503

The account name and number are as follows:

Baja Development Corp.
Account # 3981345276
2 dogwood drive
Danbury, Ct. 06811

Please call Lynne with questions at [REDACTED]

Thank you for your assistance,

Phil Kenner as Attorney in Fact for Michael
Phil Kenner as the Attorney in fact for Michael Peca

**PLEASE WIRE THIS ENTIRE AMOUNT OUT ON MARGIN
- URGENT!!**

March 8, 2006

Charles Schwab
Institutional Service Group
PO Box 52013
Phoenix, AZ 85072-9215

Re: Michael Peca: Account # [REDACTED] 4031

Dear Charles Schwab:

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Danbury, Ct 06811

Please call Lynne with questions at 480-481-8920.

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Phil Kenner as Attorney in fact for Michael Peca

Phil Kenner as the Attorney in fact for Michael Peca

GSF

GLOBAL SETTLEMENT FUND

DATE	TO/FROM	DEBIT	CREDIT	Account Balance	NOTES
5/8/09	MICHAEL PECA [REDACTED]	\$ 250,000.00	\$ 395,000.00	[REDACTED]	

Michael and Kristin Peca

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For the Years 2003 through 2020

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2006	12.65%	116,581	-	211,062	-	-
2007	3.78%	120,988	-	219,040	-	-
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2010	11.90%	132,696	317,051	240,236	240,919	2,401,060
2011	-0.95%	131,436	314,039	237,954	238,630	2,378,250
2012	9.72%	144,211	344,563	261,083	261,825	2,609,415
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Footnotes

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⁴Gross estimated opportunity cost if funds were allocated according to a portfolio similar to what existed for the clients since 2003.

*Invested June 23, 2005

**Invested May 8, 2009.

***Invested March 1, 2009

+Invested July 13, 2004

++Invested April 7, 2008

^AJanuary 1, 2020 through June 30, 2020.